

Serial No. 10/735,218
Response Mailed on 5/22/2006
Office Action Mailed on March 6, 2006

REMARKS

The claims are directed to a system and method for locating a user or a member of a group of a wireless communications system using a voice command.

DOUBLE PATENTING

Applicant acknowledges the examiner's provisional double patenting rejection. Claims 52-55 of co-pending patent application serial number 11/070,336 have been cancelled so the double patenting rejection should be withdrawn.

PRIOR ART REJECTION

In response to the examiner's rejection of claims 52-55 under 35 USC 102(b) as being anticipated by US Patent No. 5,514,426 to Yacenda et al. ("Yacenda"), Applicant respectfully traverses the rejection since Yacenda does not anticipate that pending claims for the reasons set forth below and reconsideration is respectfully requested.

Claim 52

Claim 52 is not anticipated by Yacenda for at least the reason that the claim recites "a badge having a microphone that accepts a voice-based locate command" and "means for determining, based on the voice-based locate command, the current access point being used for communications by the badge of the user being located." Yacenda discloses a telephone communications system having a locator wherein a badge 18 is used. The badge 18 in Yacenda communicates wirelessly with the rest of the Yacenda system and permits the system in Yacenda to locate the user in order to route a telephone call to a telephone near the user. See Col. 2, lines 23-29. However, the badge in Yacenda is not a badge that has a microphone that accepts a voice-based locate command.

In addition, Yacenda does not disclose that the current access point being used for communications by the badge of the user is located based on the voice-based locate command as set forth in the claims. The locate command in Yacenda is generated by the system in order to

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locate a telephone near the user and is not based on a voice-based locate command. Therefore, Yacenda does not disclose this feature of claim 52 and does not anticipate claim 52 and claim 52 is allowable.

Claim 53

Claim 53 is not anticipated by Yacenda at least for the reason that claim 53 recites "receiving a voice command to locate a user of the wireless communications system" and "determining the access point currently being used for communications by the badge of the user based on the voice command." These features of claim 53 are not disclosed by Yacenda. As discussed above, Yacenda does not disclose a voice command to locate a user. In addition, Yacenda does not disclose, as set forth above, that the access point currently being used for communications by the badge of the user is determined based on the voice command. Therefore, Yacenda does not anticipate claim 53 and claim 53 is allowable.

Claims 54-55

Yacenda does not anticipate claims 54 and 55 at least because these claims recite "receiving a voice command to locate a member of a group of the wireless communications system" and "determining, based on the voice command, the current access point(s) being used for communications by the badge(s) of the one or more members of the group specified by a group location request" which are not disclosed by Yacenda. As set forth above, Yacenda does not disclose receiving a voice command to locate a user (or a member of a group). In addition, Yacenda does not disclose, as set forth above, determining, based on the voice command, the current access point(s) being used for communications by the badge(s) of the one or more members of the group specified by a group location request. Therefore, claims 54-5 are not anticipated by Yacenda and claims 54-55 are allowable.

New Claims 57-64

The new claims are supported by the specification. Claims 57-8 are allowable over the prior art for at least the same reasons as the independent claim from which they depend. Claims 59-62 are allowable over the prior art for at least the same reasons as the independent claims and

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because these claims recite that the name of each access point comprises one of a building name, a floor name and a functional area name which is not disclosed by the prior art cited by the examiner. Claims 63-64 are allowable over the prior art because, in addition to the voice command, these claims recite "determining a current access point being used for communications by a badge of a member of the group that has the particular organizational structure role that is closest to a user that issued the voice command" which is not disclosed or suggested by the prior art cited by the examiner.

CONCLUSION

In view of the above, it is respectfully submitted that claims 52-55 and 57-64 are allowable over the prior art cited by the Examiner and early allowance of these claims and the application is respectfully requested.

The Examiner is invited to call Applicant's attorney at the number below in order to speed the prosecution of this application.

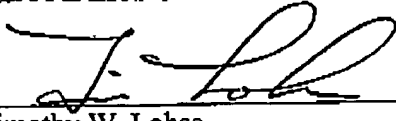
The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896 referencing Attorney Docket No. 350942-991102.

Respectfully submitted,

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By


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